

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND
(NORTHERN DIVISION)

WILLIAM ADAMS,
337 Oceanwalk Drive North
Atlantic Beach, Florida 32233

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Plaintiff,

*

v.

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Case No.: _____

JOHN SOKOL,
23 Frog Hollow Road
Poughquag, New York 12750

*

*

AND

*

VULCAN MATERIALS CO.,
1200 Urban Center Drive
Birmingham, Alabama 35242

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Defendants.

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DEFENDANT JOHN SOKOL'S CONSENT NOTICE OF REMOVAL

The Defendant, John Sokol ("Sokol"), by and through his attorneys Robert P. O'Brien, Esq., Bryant S. Green, Esq., and Niles, Barton & Wilmer, LLP, and pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, hereby files this Notice of Removal from the Circuit Court for Baltimore City, Maryland, to the United States District Court for the District of Maryland, Northern Division, and in support thereof state as follows:

1. The Plaintiff initiated the present action against Defendants Sokol and Vulcan Materials Co. ("Vulcan") in the Circuit Court for Baltimore City, Maryland, Civil Action No. 24-C-18-001508, on or about March 18, 2018, alleging: negligence and negligent infliction of emotional distress against both defendants. Defendant came into receipt of the Complaint on or about July 3, 2018.

2. Pursuant to 28 U.S.C. §1446(b)(1), this notice is being filed within 30 days of Sokol's receipt of the Plaintiff's initial pleadings.

3. A copy of the Complaint filed in the Circuit Court and the subsequently issued Summons are attached hereto as *Exhibit A*.

4. Plaintiff is a resident of the State of Florida. *Exhibit A*, ¶ 1.

5. Defendant Sokol is a resident of the State of New York. *Exhibit A*, ¶ 2.

6. Defendant Vulcan is a corporation organized under the laws of the State of New Jersey, and maintains its principal place of business in the State of Alabama. *Exhibit A*, ¶ 3; *Exhibit B*, Foreign Corporation Qualification.

7. This Court has original jurisdiction pursuant to 28 U.S.C. § 1332. There is true diversity of citizenship, and the amount in controversy exceeds \$75,000, exclusive of costs and interest.

8. Sokol will file and serve its responsive pleading to the Complaint as required by the Federal Rules.

9. Pursuant to 28 U.S.C. § 1446(b)(2)(A), defendant Vulcan consents to the removal of this action.

10. A true and correct copy of the Notice of Filing of Removal, which has been filed contemporaneously in the Maryland Circuit Court Action, is attached hereto as *Exhibit C*.

Respectfully Submitted,

Seen and Agreed,

/s/ Robert P. O'Brien, Esq. (#00003)

Robert P O'Brien, Esq. (#00003)

Bryant S. Green, Esq. (#19752)

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Counsel for Defendant,

Vulcan Materials Co.

CERTIFICATE OF SERVICE

I CERTIFY that on this 24th day of July, 2018, a copy of this Notice of Removal to the United States District Court for the District of Maryland (Northern Division) was electronically filed using the CM/ECF system and served via U.S. Mail, first-class, postage prepaid on:

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/s/ Robert P. O'Brien
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